

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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MARK KAPITI,

Plaintiff,

-v-

**NOTICE TO TAKE  
DEPOSITION UPON  
ORAL EXAMINATION**

RAYMOND W. KELLY, in his official capacity  
as Commissioner of the New York City Police  
Department, PROPERTY CLERK, New York  
City Police Department, and The CITY OF NEW  
YORK,

No. 07 CV 3782 (RMB)

Defendants.

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SIRS:

**PLEASE TAKE NOTICE** that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, plaintiff, MARK KAPITI, will take the deposition upon oral examination of plaintiffs or plaintiffs' witnesses or agents, having knowledge of the facts herein, as an adverse party, to be taken, by stenographic means, before a Notary Public of the State of New York or other person duly qualified to so act, on February 5, 2008, at 10:00 a.m. at the office of STEVEN L. KESSLER, ESQ., 122 East 42<sup>nd</sup> Street, Suite 606, New York, New York 10168. The deposition will continue from day to day until completed, and will concern all claims, evidence and defenses asserted in this action by the parties.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Rule 30(b)(5) of the Federal Rules of Civil Procedure, said person(s) to be examined shall produce, seven (7) days before such examination, the following:

1. All other documents, papers and things relevant to the issues and occurrences which are the subject of this action.

Dated: New York, New York  
January 15, 2008

Yours, etc.,



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**STEVEN L. KESSER (SK-0426)**  
*Attorney for Plaintiff*

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Suite 606  
New York, N.Y. 10168-0699  
212-661-1500

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100 Church Street  
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